REMARKS

This Amendment is fully responsive to the non-final Office Action dated September 14, 2007, issued in connection with the above-identified application. Claim 1-16 were previously pending in the application. With this Amendment, claims 1-10, 13 and 15 have been amended; and claims 11, 12 and 16 have been canceled without prejudice or disclaimer to the subject matter therein. Additionally, claim 17 has been added Therefore, claims 1-10, 13-15 and 17 are now pending in the application. No new matter has been added by the amendments made to the claims or new claim 17. Thus, favorable reconsideration is respectfully requested.

In the Office Action, the Examiner objected to the specification because of minor informalities. The Applicants have provided a substitute specification and replacement abstract. The changes to the specification and abstract include minor editorial and clarifying changes. Additionally, the substitute specification also addresses the objection to the specification by the Examiner. Withdrawal of the objection to the specification is respectfully requested. Marked-up copies of the original specification and abstract are enclosed. No new matter has been added by the changes made to the specification and abstract.

In the Office Acton, the Examiner objected to claim 8 because of minor informalities. Specifically, the Examiner pointed out that the term "controlls" is misspelled. The Applicants have amended claim 8 to replace the term "controlls" with the term "controls." Withdrawal of the objection to claim 8 is respectfully requested.

In the Office Action, claims 3, 12 and 13 have been rejected under 35 USC 112, second paragraph, for being indefinite. With regard to claim 3, the Examiner pointed out that the phrase "said status monitoring unit" in lines 1-2 lacks proper antecedent basis. The Applicants have amended claim 3, as suggested by the Examiner.

With regard to claims 12 and 13, the Examiner alleged that the function of the claimed "storage unit" is unclear, as recited in claims 1, 12 and 13. At the outset, the Applicants respectfully point out that the Examiner appears to have confused the "content receiving device" with the "receiving unit," and misinterpreted the function of the "storage unit."

The "content receiving device" is a device with which the content transmission device is connected over a network and to which the content transmission device transmits content. The "receiving unit," on the other hand, is a unit which is a constituent of the content transmission device and receives content from an exterior system or device. Additionally, claim 1 only recites that the "storage unit is configured to store content." Moreover, the Applicants have herein canceled claim 12 and amended claims 1 and 13 to clarify the meaning of the claims. Accordingly, withdrawal of the rejection to claims under 35 USC 112, second paragraph, is respectfully requested.

In the Office Action, claims 1-6, 8, 14-16 have been rejected under 35 USC 102(b) as being anticipated by Omura et al. (U.S. Patent No. 6,430,620, hereafter "Omura").

The Applicants have canceled claim 16 rending the above rejection to that claim moot. Additionally, the Applicants have amended independent claim 1 to further distinguish the present invention over the cited prior art. Specifically, claim 1 recites, in relevant part, the following:

"A content transmission device for use with, and to be connected with, a content receiving device over a network, said content transmission device comprising: ...

a receiving unit configured to receive content from an exterior system or device; and

a memory controlling unit configured to control the storage of content such that the content received by said receiving unit is stored in said storage unit starting from the interruption location captured by said interruption location capturing unit."

In the Office Action, the Examiner relied on Omura for disclosing all the features of claim 1.

Omura discloses a data transfer system and method for locating and re-transferring lost data through a computer network. Specifically, Omura discloses the use of a receiving buffer and a re-transfer requesting means for locating lost data packets during a data transmission. As described in Omura, the receiving buffer stores a data stream with vacancies, wherein the vacancies indicate a loss of data packets; and the re-transfer requesting means detects whether a loss of packets has occurred by referring to the data stream stored in the receiving buffer (see Fig. 5(b)). However, nothing in Omura discloses or suggests that the receiving buffer or re-transfer

requesting means is configured to control the storage of content such that the content received by a receiving unit is stored in a storage unit starting from the interruption location captured by an interruption location capturing unit, as in claim 1.

Therefore, independent claim 1 (as amended) is not anticipated by Omura. Likewise, dependent claims 2-6, 8, and 14-15 are not anticipated by Omura based at least on their dependency from independent claim 1.

In the Office Action, claims 1 and 12-13 have been rejected under 35 USC 102(b) as being anticipated by Itoh et al. (U.S. Pub. No. 2002/0073136, hereafter "Itoh"). As noted above, the Applicants have canceled claim 12 rending the above rejection to that claim moot. Additionally, the Applicants have amended independent claim 1 to further distinguish the present invention over the cited prior art. That is, claim 1 recites, in relevant part, the following:

"A content transmission device connected with a content receiving device over a network, comprising: ...

a receiving unit configured to receive content from an exterior system or device; and

a memory controlling unit configured to perform control the storage of content such that the content received by said receiving unit is stored in said storage unit starting from the interruption location captured by said interruption location capturing unit."

In the Office Action, the Examiner relied on Itoh for disclosing all the features of claim 1.

Itoh discloses a data reproduction and receiving method that includes the use of a data receiving terminal with a receiving buffer. In the Office Action, the Examiner considered the receiving terminal in Itoh as similar to content transmission device of claim 1.

However, the Applicants maintain that there are clear differences between the receiving terminal in Itoh and the content transmission device of claim 1.

First, the content transmission device of claim 1 is not a receiving terminal but is a device for transmitting content to a content receiving device. Second, the receiving buffer in Itoh et al, is a part of the receiving terminal which temporarily stores received content. The storage unit of claim 1, on the other hand, stores content starting from an interruption location captured by an interruption location capturing unit, and is controlled by a memory controlling unit.

Third, in the content transmission device of claim 1, the receiving unit receives all content from an exterior system or device, whereas in Itoh the data receiving unit does not receive all the content from an exterior system or device, and receives content only if a time stamp operation has been performed.

Finally, the Examiner has interpreted that the interaction between the control unit, message sending/receiving unit, and data receiving unit of Itoh as performing the same function as "memory controlling unit" of claim 1. However, in Itoh, the control unit merely stores a time stamp of data, not content. Additionally, in Itoh, the receiving buffer receives content from the sending device, and it is not controlled by the control unit. Conversely, in the present invention of claim 1, the memory controlling unit is configured to control storage of content such that content received by the receiving unit is stored in the storage unit starting from an interruption location captured by an interruption location capturing unit.

In view of the above differences, independent claim 1 is not anticipated by Itoh. Likewise, dependent claim 13 is not anticipated by Itoh based at least on its dependency from independent claim 1.

In the Office Action, claims 7, 9 and 10 have been rejected under 35 USC 103(a) as being unpatentable over Omura in view of Sull et al. (U.S. Pub. No. 2007/0033170, hereafter "Sull"); and claim 11 has been rejected under 35 USC 103(a) as being unpatentable over Omura in view of Hamanaga et al. (U.S. Pub. No. 2005/0176460, hereafter "Hamanaga"), and further in view of Sull.

Claim 11 has been canceled rending the above rejection to that claim moot. Additionally, claim 7, 9 and 10 depend from independent claim 1. As noted above, Omura fails to disclose or suggest all the features recited in independent claim 1 (as amended). Additionally, Hamanaga and Sull fail to overcome the deficiencies noted above in Omura.

Specifically, Hamanaga only discloses interruption information, which is information for helping the user to remember why an interruption occurred. As described in Hamanaga, the interruption information is used by a display section to display a history of the interruptions occurring in a communication. Thus, the interruption information in Hamanaga is directed

making it easier for a user to remember why he or she made a call that was eventually interrupted, and why the interruption occurred. Additionally, Sull only discloses the use of a rewind scope, which generally defines how much to rewind a video or multimedia file.

Therefore, no obvious combination of Omura with Hamanaga, and/or Sull would result in, or otherwise render obvious, the present invention recited in independent claim 1; from which claims 7 and 9-10 depend.

Moreover, new claim 17 includes the limitations of claims 1 and 11. The Applicants maintain that the cited prior art fails to disclose or suggest at least the features of dependent claim 11.

That is, the cited prior art fails to disclose or suggest the following features:

"an interruption location capturing unit that captures the interruption reason for which the content receiving device is unable to receive content, or the interruption reason for which the user of the content receiving device interrupted viewing and/or listening with the content receiving device; and

the transmission controlling unit determines the predetermined distance to retrace from the interruption location according to the interruption reason, and controls said transmission unit to transmit content starting from the predetermined distance determined to the content receiving device."

In the Office Action, the Examiner relied on Omura in view of Hamanaga, and further in view of Sull for disclosing the features of claim 11.

However, as noted above, Hamanaga only discloses interruption information that makes it easier for a user to remember why he or she made a call that was eventually interrupted, and why the interruption occurred. Additionally, Sull only discloses the use of a rewind scope that defines how much to rewind a video or multimedia file.

Thus, Omura in view of Hamanaga, and further in view of Sull fails to disclose or suggest all the features of claim 17. Therefore, new claim 17 is not anticipated or rendered obvious by the cited prior art.

In light of the above, the Applicants respectfully submit that all the pending claims are

patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the Office Action dated September 14, 2007, and pass this application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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